

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING

DATE: April 18 - 19, 2002

TIME: 9:00 AM both days

LOCATION: Hilton Burbank Airport & Convention Center
2500 Hollywood Way
Burbank, CA 91505

PRESENT: Sandra Erickson, CRNA, President
LaFrancine Tate, Vice President
Sharon Ecker, RN
Monta Huber
Dan C Weitzman, Public Member

NOT PRESENT: Mary Jo Gorney-Moreno, PhD, RN
Thomas C Kravis, MD

ALSO PRESENT: Ruth Ann Terry, MPH, RN, Executive Officer
Susan Brank, Assistant Executive Officer
Heidi Goodman, Manager, Licensee & Administrative Services
Louisa Gomez, Manager, Licensing Standards & Evaluation; Advanced Practice
Elliot Hochberg, Manager, Enforcement Program
Kathy Meyer, Manager, Diversion Program
Maria Bedroni, EdD, MN, RN, NP, Supervising NEC
Louise Bailey, MEd, RN, Supervising NEC
Usrah Claar-Rice, MSN, RN, NEC
Katie Daugherty, MN, RN, NEC
Kay Weinkam, MS, RN, CNS, NEC
Grace Arndt, MSN, RN, NEC
Miyo Minato, MN, RN, NEC
Albert Balingit, Legal Counsel
Don Chang, Legal Counsel
Catherine Frink, Administrative Law Judge
Sharon (Derkum) Cohen, Deputy Attorney General
Ellen Jibben, Recording Secretary

Thursday, April 18, 2002

1.0 CALL TO ORDER

S. Erickson, Board President, called the meeting to order at 9:05am and had the Board members introduce themselves. The Board welcomed students from Glendale Community College, Golden West College, Los Angeles Valley College and Santa Monica College.

2.0 DISCIPLINARY MATTERS

Reduction of Penalty

DEAN, Toni	Granted
JOHNSON, Deborah	Granted
REEVES, Colleen	Granted
ROGERS, Franklin D.R.	Denied

Reinstatements

BIRDSONG, Jo Ann	Granted
KLAT, Susan	Denied
WILLIAMS, Olivia Danita	Granted

Closed Session Discussion Items

S. Erickson, Board President, called the closed session meeting to order at 2:15pm.
The closed session adjourned at 3:15pm.

Friday, April 19, 2002

S. Erickson, Board President, called the meeting to order at 9:05 am and had the Board members introduce themselves. The Board recognized Doreathea Johnson, DCA Deputy Director, Legal Affairs who was in attendance.

3.0 OPEN FORUM

No one came forward to address the board.

4.0 APPROVE / NOT APPROVE MINUTES Of January 31-February 1, 2002

MSC: Huber / Ecker that the Board approve the minutes from the previous meeting. 5-0-0

5.0 REPORT ON BOARD MEMBERS' ACTIVITIES

M Huber attended the DLC meeting in Ontario on 4/10/02.

L Tate attended the ACNL Annual Conference in Las Vegas, February 3-6, 2002.

S Erickson attended the NCSBN Mid-Year Meeting in March in Chicago.

A certificate was presented to M Huber, Public Member by Board President S Erickson. Because of term expiration, this was M Huber's last board meeting. M Huber was thanked for her participation and the excellent job she did while a member of the Board.

It was also noted that this would be M.J. Gorney-Moreno's last board meeting, as well. M.J. Gorney-Moreno was recognized for a job well done.

6.0 EXECUTIVE OFFICERS' REPORT ON BOARD AND DEPARTMENT ACTIVITIES

R. Terry presented this report.

1.0 Budget Update

Finance Letter - On March 26, 2002, the Board submitted a Finance Letter to support participation in the Governor's Nurse Workforce Initiative (NWI). The Board's request is to augment its expenditure authority by \$354,000 on a two-year limited term basis for FY 2002/03 and 2003/04, to fund the Nursing Workforce Survey and Research, Expert Advisory Committees, and a \$10,000 one-time expenditure for the design and development of a brochure. This is further discussed in Agenda Item 7.1.

Budget Reserve Fund Request - On March 28, 2002, the Board requested approval from the Department of Finance (DOF) to have \$94,000 allocated to reimburse the Statewide eGovernment Initiatives Office, Department of General Services for services related to the development and implementation of the RN on-line application for licensure. This request was made pursuant to Section 4.4 of the Budget, which allows the use of budget reserve funds for eGovernment projects. This is further discussed in Agenda Item 7.1.

Request for Increased Reimbursement Authority - On April 3, 2002, the Board requested assistance from DCA's Budget Office to submit a request to the DOF for a \$307,000 administrative adjustment to align the current year's fingerprint line item.

Pre-Hearing Conference - On April 15, 2002, Susan Brank, Assistant Executive Officer, met with Consultants to the Senate Budget and Fiscal Review Committee, Department of Finance (DOF), Legislative Analyst Office (LAO), and DCA, at a pre-hearing conference to discuss the Enforcement Budget Change Proposal (BCP), which is a two-year limited term augmentation of \$1.6 million to fund the costs of the AG, OAH, and evidence and witness fees. Additionally, the committee discussed the Finance Letter for the Nurse Workforce Initiative and the Board's \$5 million loan to the General Fund. This meeting will assist the participants as they prepare for the Senate Budget Hearing on April 22, 2002.

Assembly Budget Hearing - on April 16, 2002, the Assembly Budget Subcommittee #4 heard the BRN's budget. Items slated for discussion were the Board's Finance Letter for the Nurse Initiative and the \$5 million loan to the General Fund. The subcommittee approved the BRN budget.

2.0 Hiring Freeze Exemptions

Based on the Governor's Nurse Workforce Initiative the Board has requested two hiring freeze exemptions with the Department of Finance. These exemptions are to assist the Board in filling positions for 5 Nurse Education Consultants (NECs), 4 Office Technicians (OTs) and 2 Office Assistants (OAs). The Board has been approved by the State and Consumer Services Agency for 4 NECs, 4 OTs, and 2 OAs and the package has been forwarded to DOF.

3.0 DCA Update

On-Line Licensing -Saber Consulting has been hired to revamp the eLicense system. Jody Curto, the Board's eGovernment liaison, represents the Board on the on-line Licensing User Group. The new vendor will use an Oracle base platform that will enhance the system's flexibility, create a user-friendly environment that will allow the user a shopping cart approach to on-line services. Additionally, this will assist eGovernment in

bringing on three additional State agencies, i.e., Pesticide Regulation, Real Estate Appraisers, and Emergency Medical Services Authority.

PLEMS Status – DCA has completed the initial Business Process Analysis (BPA) for the Bureau of Barbering and Cosmetology, the Bureau of Security and Investigative Services and the Dental Board. Based on staff's recommendations, DCA is in the process of hiring a consultant to assist the remaining Boards, Bureaus and Commissions to ensure the accuracy of the business requirements for the new legacy system. The Board anticipates a weeklong review of business processes, sometime this summer.

Appointment – On April 30, 2002, Tracy Ferrel, PhD will join DCA as Chief of the Office of Examination Resources (OER). Dr. Ferrel is currently with the State Personnel Board as Manager of the Test Validation and Construction Unit. She has conducted occupational analyses and managed multiple licensing examination programs including, developing written, performance and practical exams. Since Dr. Ferrel has held positions with the Department, she is familiar with the many unique aspects of DCA and the Boards and Bureaus.

7.0 REPORT OF THE ADMINISTRATIVE COMMITTEE

S. Erickson, Chairperson

7.1 Information Only: Update on Nursing Workforce Initiative

R. Terry presented this report

As reported at the last Board Meeting, the Governor announced his Nurse Workforce Initiative at a press conference on January 23, 2002. (A press release was attached.) The previous day, the Governor had announced his proposed nurse-to-patient ratio that is expected to result in the hiring of an additional 5,000 RNs.

The California Health and Human Services Agency is coordinating the numerous State agencies that are involved in implementing the Initiative. The Board of Registered Nursing is designated as a lead or collaborative agency for 8 of the 10 components of the Initiative, and BRN staff has participated in over 20 Initiative-related meetings since the last Board meeting, as well as conducting research and preparing reports. We anticipate that the Initiative will continue to be a labor-intensive endeavor. Activities to date include:

- The BRN has submitted a Finance Letter and Hiring Freeze Exemption request to obtain the resources to assist with the Initiative, as reported in the Executive Officer's Report.
- The BRN Nursing Workforce Advisory Committee had its first meeting on March 13, 2002, in Oakland.
- BRN staff has worked with the Department of Consumer Affairs and Department of General Services to design and develop on-line application services for endorsement applicants from out-of-state. The system should be available by July.
- Staff have developed a prototype website that can serve as a clearinghouse or "one-stop-shopping" for potential RNs, RNs who may consider returning to the workforce, and RNs who may be willing to serve as ambassadors for outreach to future RNs. The site links to the major existing websites such as the Coalition for Nursing Careers in California and Johnson & Johnson.

The BRN is responsible for leading or assisting with the following components of the Governor's Initiative:

- Training and preceptorship positions. The BRN will work with funding agencies and the Office of Statewide Health Planning and Development to expand training and preceptorship opportunities for registered nurses. This component should benefit RNs who are expanding their skills in new areas, RNs who are returning to the workforce, and new graduates who need to bridge from school to the workplace.
- Central Valley Health Careers Training Program. The BRN will receive a feasibility study from West Hills Community College to open an RN program to prepare RNs to work in the new Coalinga State Hospital that is scheduled to open in 2004.
- Nursing Education Enhancement Projects. The BRN will work with agencies to develop funding and mechanisms to expand the number of nursing slots in schools, to expand regional collaboratives, and to identify and support "best practices" to educate more RNs.
- Workplace Reforms. The BRN is working with the Employment Development Department and funding agencies to identify and test workplace reform projects to improve retention of RNs.
- Outreach Campaign. The BRN, DCA, and Department of Health Services are collaborating to develop a creative outreach campaign to recruit more RNs. Public funding is not available for the campaign.
- Conduct Research. The BRN is seeking funding to conduct surveys of three groups: working RNs, inactive RNs, and RN employers. These surveys should provide insight into workforce and workplace trends to assist in intervening effectively with the current nursing shortage and to prevent and plan for future workforce needs.

7.2 Approve/Not Approve: Ratification of Nursing Workforce Advisory Committee

R. Terry presented this report

The Nursing Workforce Advisory Committee, established by the Board on November 30, 2001, held its first meeting on March 13, 2002 in Oakland. Fourteen (14) members have been appointed to this Advisory Committee from a list of 24 nominees submitted by the 22 organizations contacted. These members represent consumers, workforce planners, nursing service, nursing education, professional nursing organizations, licensed vocational nurses, employers, nursing unions, and health plans.

After a brief overview of the charge to the Nursing Workforce Advisory Committee and the Governor's Nurse Workforce Initiative by Executive Officer Ruth Ann Terry, the Committee joined the final meeting of the California Strategic Planning Committee for Nursing / Colleagues in Caring. The final reports from CSPCN/CIC provided the Board's Advisory Committee with an overview of the many activities that have been and still continue in California about nursing workforce issues. Visitors from the Robert Wood Johnson Foundation (Colleagues in Caring grantor) provided information from a national perspective.

The purpose of the BRN Nursing Workforce Advisory Committee is to advise the Board of Registered Nursing about:

- ✚ Data to be collected for the RN survey
- ✚ Issues that affect the nursing workforce and the ability of nurses to provide safe, accessible patient care
- ✚ Strategies to recruit and retain student nurses, nursing faculty, and direct care nurses

The current focus of the Board's Nursing Workforce Advisory Committee is to review the RN survey instrument to determine what additional questions may be useful as the Board conducts its fourth survey. Previous surveys were conducted in 1990, 1993, and 1997. This survey is a stratified random sample of working RNs who reside in California. A new survey of RNs with lapsed or inactive licenses will be conducted to determine the reasons for leaving nursing and what factors might cause them to return. Another survey will focus on employers and the challenges they have in recruiting and retaining registered nurses.

The next meeting of the Nursing Workforce Advisory Committee is planned for June 2002. Work on these survey instruments and developing a comprehensive work plan will be the focus of this meeting.

Jean Harlow, MSN, RN, retired SNEC, is staff to this committee.

MSC: Tate / Ecker that the Board approve the ratification of the Nursing Workforce Advisory Committee. 5/0/0

7.3 Approve/Not Approve: Appointment of Education Advisory Committee

R. Terry presented this report

As part of the Governor's Nurse Workforce Initiative, the BRN has been asked to provide expert input on educational issues related to reforming nursing education to assist in alleviating the nursing shortage. The BRN must 1) strive to standardize nursing prerequisites and curricula, and 2) participate in developing requests for proposals and evaluating proposals from colleges for training, preceptorships, and collaboratives.

To achieve both of these goals, it would be beneficial to enlist a representative committee of nine nursing education leaders and college administrators. Both Baccalaureate and Associate Degree programs would be represented, and geographic diversity would be addressed.

The BRN is seeking funding to also employ a part time nursing education leader who could facilitate the committee meetings and serve as a statewide expert consultant who can confer with State agency executives.

The Education Advisory Committee would meet four times a year for a two-year term.

MSC: Ecker / Tate that the Board approve the appointment of the Education Advisory Committee. 5/0/0

7.4 Approve/Not Approve: Update on Strategic Plan

R. Terry presented this report

State agencies are required to update their strategic plans annually and submit them to the Governor's office for approval.

In April 2001 the Board Members participated in a workshop to revise the BRN strategic plan and adopted the new plan April 2001.

A draft of the strategic plan was provided for Board Member review and action.

The revisions include:

- 1.Addition of Goal D and related objectives to implement the Governor’s Nurse Workforce Initiative.
- 2.Updating of statistics and fiscal data to reflect current information.

MSC: Tate / Huber that the Board approve the Strategic Plan Update for 2002. 5/0/0

7.5 Information Only: Update on Revisions to Bagley-Keene Open Meeting Act

R. Terry presented this report

The Open Meeting Act governs meetings of local government agencies. A guide was attached that included all statutory changes through January 1, 2002. Albert Balingit, DCA Legal Counsel, presented the information to the Board.

Significant changes include:

- ✓ The requirement of all agencies to post notice of their meetings on the internet; time of posting; posting requirements after special meetings; posting requirements for emergency meetings
- ✓ Changes to enforcement of violations of the Act
- ✓ Changes regarding meetings by teleconference; difficulty in establishing quorum; board member attendance at teleconference locations
- ✓ Definition of “Meeting”
- ✓ Exemptions from definition of “Meeting”
- ✓ Definition of “State Body”
- ✓ Communications by State agency members outside the meeting
- ✓ Notice of meetings to contain a brief description of items of business to be transacted.
- ✓ Definition of “meeting”

Full Guide to the Bagley-Keene Open Meeting Act was attached.

7.6 Information Only: Preliminary Sunset Report

R. Terry presented this report

In 1994, California enacted a “sunset law” which established a schedule for a legislative review of all of the independent boards and all programs under the Department of Consumer Affairs. The initial review of boards conducted by the Joint Legislative Sunset Review Committee began in 1995 and ended in 1998. A re-review of the boards is required after four or more years from the initial review.

The BRN underwent its initial sunset review in 1996 and received a six-year reauthorization (“sunrise”) until July 1, 2004, and is scheduled for re-review in 2002.

An explanation of the review process and preliminary schedule for the review was attached.

8.0 REPORT OF THE EDUCATION/LICENSING COMMITTEE

Mary Jo Gorney-Moreno, Chairperson

8.1 Approve/Not Approve: Education/Licensing Committee Recommendations

G. Arndt presented this report

Continue Approval of Nursing Education Programs

- Cabrillo College Associate Degree Nursing Program
- De Anza College Associate Degree Nursing Program
- Maric College Associate Degree Nursing Program
- Santa Rosa Junior College Associate Degree Nursing Program

Defer Continuing Approval of Nursing Education Program

- San Bernardino Valley College Associate Degree Nursing Program
- Solano Community College Associate Degree Nursing Program

Grant Initial Approval of Pre-Licensure Nursing Education Program

- University of San Diego Master's Entry Program in Nursing
- California State University Stanislaus Baccalaureate Degree Nursing Program
- Los Angeles City College Associate Degree Nursing Program

Grant Initial Approval of Advanced Practice Nursing Education Program

- California State University Dominguez Hills Nurse Practitioner Program

Approve Major Curriculum Revision

- College of the Sequoias Associate Degree Nursing Program
- Pasadena City College Associate Degree Nursing Program

MSC: Ecker / Tate that the Board approve the Education/Licensing Committee recommendations. 5/0/0

8.2 Ratify Minor Curriculum Revisions

G. Arndt presented this report

The following programs have submitted minor curriculum revisions that have been approved by the NECS:

- Azusa Pacific University BSN
- CSU Bakersfield BSN
- Antelope Valley Associate Degree Nursing Program
- Compton College Associate Degree Nursing Program
- LA Trade Technical College Associate Degree Nursing Program
- LA Valley College Associate Degree Nursing Program
- Merritt College Associate Degree Nursing Program
- Pacific Union College Associate Degree Nursing Program
- Rio Hondo College Associate Degree Nursing Program
- Riverside Community College Associate Degree Nursing Program
- Santa Ana College Associate Degree Nursing Program
- Santa Monica College Associate Degree Nursing Program

MSC: Huber / Ecker that the Board approve the Education/Licensing Committee recommendations to ratify the minor curriculum revisions. 5/0/0

8.3 Approve/Not Approve: Progress Report From East Los Angeles College Associate Degree Program and Continue on Deferred Status

On January 11, 2002, the Education/Licensing Committee did not accept the program's progress report addressing the areas of non-compliance that were identified during an approval visit conducted on

December 5 – 7, 2000. The Board continued the deferred status to allow time for the program to resubmit the progress report for the ELC Meeting in March. The NEC reviewed and summarized the program's resubmitted report. Dean Johnson-Hawkins informed the committee that a full-time secretary has just been hired and qualified part-time individuals fill faculty vacancies and the College is committed to finding additional full-time faculty. The program is now in compliance with Section 1424(d). There is evidence that substantial progress has been made by the faculty in their efforts to complete the major curriculum revision started in March 2001. The work on the curriculum revision, as submitted, is incomplete however. Concerns, related to the unifying theme, unit distribution, sequencing of courses, and a new preceptor course, have been discussed with the Director. The Program is still in non-compliance with Section 1426(b) Curriculum.

MSC: Ecker / Huber that the Board accept progress report and continued deferred status of East Los Angeles College ADN Program. 5/0/0

8.4 Information Only: a) NCLEX Update b) Virtual University Enterprise (VUE) - Update

NCLEX Update:

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

NCLEX RESULTS – FIRST TIME CANDIDATES January 01, 2001 – December 31, 2001

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California	5,055	83.05
United States and Territories	68,724	85.53

CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES By Quarters and Year – January 01, 2001 – December 31, 2001

01/01/01 – 03/31/01		04/01/01 – 06/30/01		07/01/01– 09/0/01		10/01/01 – 12/31/01		01/01/01 – 12/31/01	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
1,271	83.95	743	79.27	2,392	86.25	649	73.81	5,055	83.05

The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year, if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests that the program director submit a report outlining the program's action plan to address this substandard performance. Should this substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

Virtual University Enterprise (VUE) – Update

Effective October 1, 2002, VUE replaces the Chauncey Group and Prometric Testing Centers as the vendor responsible for administering the NCLEX-RN and PN/VN licensing exams. In preparation for this change, VUE is conducting Alpha and Beta testing of the new systems and procedures.

Alpha Testing: Member Boards participating in the Alpha Test included Alabama, California-RN and VN, Guam, Kentucky, Maryland, and Missouri. This phase of “stress testing” all aspects of the VUE testing administration and transmission processes was completed between December 3, 2001 and January 15, 2002. A total of 193 persons participated in the alpha testing phase. Representatives from the NCSBN acted as observers at several Alpha Test sites as Board staff completed the examination processes/procedures. Twenty-five California board employees took the Alpha Test at the Roseville testing site.

VUE received written evaluations from 119 of the 193 individuals who participated in the alpha testing. Overall, NCSBN and VUE were very pleased with the operation of the VUE systems, the suggestions from the Alpha exam candidates, and the professional way the VUE testing center staff handled the “scripted” testing problems. As expected, the alpha testing phase enabled NCSBN and VUE to pinpoint needed process/system improvements in all aspects of the test administration and transmission processes, most particularly, glitches in the technical, information system/internet systems. A comprehensive report of alpha testing findings is expected to be presented to the NCSBN Examination Committee and participating Member Boards after all evaluation data is tallied.

Beta Testing: In the Beta Test phase, real exam candidates will be taking the actual NCLEX-RN or NCLEX-PN exam for licensure. The Beta Test phase of the NCLEX Transition Plan is a “full dress rehearsal” for all VUE systems and software. Eighteen jurisdiction and 2,000 candidates are targeted for participation in this phase of testing. Member Boards are recruiting all types of candidates including first time, repeat, foreign educated, and candidates requiring special accommodations. NCSBN is not asking any candidate to delay their test session in order to participate in the Beta Test.

9.0 REPORT OF THE LEGISLATIVE COMMITTEE

F. Tate, Chairperson

9.1 Adopt/Modify: Positions on Bills of Interest to the Board

L. Bailey presented this report

AB 1959 Corbett: CalWorks Eligibility: Work Activities

MSC: Ecker / Huber that the Board take a support position on AB 1959. 5/0/0

AB 2077 Koretz: Nursing: Education Resources

MSC: Ecker / Huber that the Board take a support position on AB 2077. 5/0/0

AB 2634 Campbell: Governor’s Appointments: Consumer Affairs

MSC: Erickson / Ecker that the Board take a watch position on AB 2634. 5/0/0

SB 993 Figueroa: Nurse Midwives

MSC: Weitzman / Erickson that the Board take a support position on SB 993. 5/0/0

SB 1292 Haynes: State Agency Fiscal Reports

MSC: Erickson / Weitzman that the Board take a watch position on SB 1292

SB 1301 Kuehl: Reproductive Privacy Act

MSC: Erickson / Ecker that the Board take a support position on SB 1301. 5/0/0

SB 1493 Alpert: Nursing Education: Nursing Shortage Project

MSC: Weitzman / Erickson that the Board take a support position on SB 1493. 5/0/0

SB 1558 Figueroa: Dangerous Drug or Dangerous Device Samples

MSC: Weitzman / Ecker that the Board take a support position on SB 1558. 5/0/0

SB 2008 Speier: Nursing: Assumption Program for Education Loans

MSC: Ecker / Weitzman that the Board take a support position on SB 2008. 5/0/0

SB 2021 Committee on Business and Professions: Business and Professions

MSC: Weitzman / Erickson that the Board take a support position on SB 2021. 5/0/0

10.0 REPORT OF THE DIVERSION/DISCIPLINE COMMITTEE

M. Huber, Chairperson

10.1 Information Only: Enforcement Program Update and Statistics

E. Hochberg presented this report

The Enforcement Program statistics for the first eight months of fiscal year 2001-2002 (July 2001 through February 2002) were attached.

There continues to be an increase in the number of licensee disciplinary actions taken in this fiscal year compared to the last fiscal year. This projection is not as high as previously noted. This fiscal year is now projected to have an additional 15% increase from the last fiscal year (from 190 to 219).

However, this does not take into consideration the large number of disciplinary actions that are currently pending adoption or Board vote (approximately 50 at this time). Therefore, the projection of a 15% increase is still subject to change.

10.2 Approve/Not Approve: Proposed Amendments to Recommended Guidelines for Disciplinary Orders and Conditions of Probation

E. Hochberg presented this report

The current Recommended Guidelines for Disciplinary Orders and Conditions of Probation (Disciplinary Guidelines) were incorporated by reference into Section 1444.5 of Title 16, California Code of Regulations, effective July 14, 2000.

On June 29, 2001, proposed amendments to the Disciplinary Guidelines were adopted by the Board.

The additional proposed amendments to the Disciplinary Guidelines were attached for review. Upon approval, these amendments will be incorporated into the currently adopted amendments for regulation promulgation.

10.3 Information Only: Diversion Program Update and Statistics

K. Meyer presented this report

The names of five persons requesting appointment to Diversion Evaluation Committees were presented. In addition, ten committee members whose terms expire on June 30, 2002 are requesting reappointment. If the appointments and reappointments are approved, there will be four vacancies out of sixty-five positions. Recruitment and interviews for vacancies continue.

The Diversion Program's Statistical Summary Report for December 2001 and January 2002 was attached. The last report indicated there was a significantly higher number of self-referrals than board-referrals at the time of Intake. Recent data showed that those numbers did reverse and there were more board-referrals than self-referrals. Alcohol and hydrocodone continue to be the drugs of choice and medical-surgical is the most common specialty of nurses entering the Program. As of January 31, 2002 there were 874 successful completions and as of February 15, 2002 there were 396 participants. Staff will continue to monitor statistics and report on significant trends.

10.4 Approve/Not Approve: Diversion Evaluation Committee Member Appointments/Reappointments

K. Meyer presented this report

In accordance with Section 2770.2 (B&P), the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committee(s) of its Diversion Program. Each Committee is composed of three registered nurses, a physician and a public member with expertise in chemical dependency or mental health.

APPOINTMENTS:

Below are the names of four registered nurses a licensed psychologist and a chemical dependent counselor who are being recommended for appointment to Diversion Evaluation Committees. All six appear very qualified to hold positions as DEC members. Their terms will expire in 2006.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>
Mary Ellen Shimmel	RN	#3, Los Angeles*
Barbara Leary	RN	#12, North Central*
Eleanor Martin	RN	#1, Sacramento*
Carol Romo	RN	#7, San Jose
Robert Awalt	Public	#1, Sacramento
Andrew Wildasinn	Public	#8, Burbank

*If approved these appointments will take effect upon the expiration of current committee member's terms that expire on June 30, 2002.

REAPPOINTMENTS:

Below are the names of ten Diversion Evaluation Committee Members whose terms will expire on June 30, 2002. They have requested reappointment and it is recommended that they be reappointed for an additional four years.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>
Susan O'Day	RN	#1, Sacramento
Cathy Horowitz	RN	#1, Sacramento
Denise Hughes	RN	#2, Bay Area
Rhonda Ceccato	RN	#2, Bay Area
Joseph Giannantonio	Public	#3, Los Angeles
Mary Hegarty	RN	#5, Central Valley
Gordon Ogdon	RN	#5, Central Valley
Janis Bush Jones	RN	#6, Palm Springs
Eugene Feldman	Physician	#8, Burbank
Laura Henretta	RN	#9, Ontario

MSC: Weitzman / Erickson that the Board approve the Diversion Evaluation Committee member reappointments. 5/0/0

11.0 REPORT OF THE NURSING PRACTICE COMMITTEE

Sharon Ecker, RN, Chairperson

11.1 Information Only: Assisted Living: Facts and Trends

K. Daugherty presented this report

The purpose of this agenda item is to keep the members of the Practice Committee and Board informed about current trends and regulatory changes in the Assisted Living setting that serve elderly consumers in California and the nation. A summary was attached that highlights current facts and trends. In 2000, the U.S. Bureau of the Census projected that by 2030, an estimated one in five Americans will be age 65 or older. According to Census figures, about 6.5 million older people need assistance with activities of daily living (ADLS) and the number is expected to double by 2020.

California assisted living facilities are licensed as Residential Care Facilities for the Elderly (RCFEs) by the Continuing Care Division, Department of Social Services (DSS). In May 2001, DSS reported a total of 6,205 licensed RCFEs and a total bed/unit capacity of 144,135. Throughout the nation, there are an estimated 33,000 facilities and 800,000 beds/units.

Registered nurses practicing in the assisted living setting typically do so on a limited, contract, or consultative basis in roles such as wellness nurses, home health or hospice nurses, educators for direct care staff, regional clinical case managers/service coordinators.

Common job functions performed by registered nurses in RCFEs include coordination and oversight for the delivery of incidental medical services, resident assessment/reappraisals, and service plan development/revisions.

On an as needed basis, Board staff provides the Department of Social Services and registered nurses practicing in this setting with requested scope of practice information.

11.2 Approve/Not Approve: Advisory Statement: Evidence Code, Section 1010 amended to include BRN certified Clinical Nurse Specialist in the specialty Psychiatric Mental health Nursing, and BRN listed Psychiatric Mental Health RN
J. Wackerly presented this report

AB 1253, Chapter 420, Matthews and AB 1017, Chapter 712, Jackson were signed into law by Governor Gray Davis in October 2001. These bills amend the Evidence Code, Government Code, Health and Safety Code, and the Insurance Code to allow certain registered nurses to bill for counseling services for victims of crime.

MSC: Weitzman / Erickson that the Board approve the Advisory Statement: Evidence Code, Section 1010 amended to include BRN Certified Clinical Nurse Specialist in the Specialty Psychiatric Mental Health Nursing, and BRN listed Psychiatric Mental Health RN. 5/0/0

12.0 Open Forum

No one came forward to address the Board.

Meeting adjourned at 11:45 AM.

Ruth Ann Terry, MPH, RN
Executive Officer

Sandra Erickson, CRNA, BPA
President